

Donte Johnson,
Petitioner
v.
Timothy Filson, et al.,
Respondents

Order Granting in Part Application to Proceed *In Forma Pauperis* and Appointing Counsel

Petitioner Donte Johnson was sentenced to death after he was convicted by a jury of four counts of first-degree murder while using a deadly weapon.¹ He now petitions for a writ of habeas corpus.² I have reviewed his petition under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, and I find it worthy of service upon the respondents.

Accordingly, IT IS HEREBY ORDERED that Johnson's application to proceed *in forma pauperis* [ECF No. 1] is **GRANTED in part and DENIED in part**. Johnson is granted leave to proceed *in forma pauperis*, but he **has until May 28, 2018, to pay the \$5.00 filing fee**.

IT IS FURTHER ORDERED that Johnson's motion for appointment of counsel [ECF No. 4] is **GRANTED**. The Federal Public Defender for the District of Nevada is appointed to represent Johnson. The Federal Public Defender will have **until May 28, 2018**, to file a notice of

⁴ ECF No. 4.

1 appearance as counsel or to file a notice indicating its inability to represent Johnson in these
2 proceedings.

3 The **Clerk of Court** is directed **electronically SERVE a copy of this order on the**
4 **Federal Public Defender** for the District of Nevada. The **Clerk of Court** is also directed to
5 **ADD Adam Paul Laxalt**, Attorney General of the State of Nevada, as counsel for respondents.

6 Finally, the **Clerk of Court** is directed to **electronically SERVE** upon respondents **a**
7 **copy of Johnson's petition (ECF No. 2) and a copy of this order.** Respondents have **until**
8 **May 28, 2018, to enter a notice of appearance**, but no further action in this case is required
9 unless the Court order otherwise.

10 Dated: April 26, 2018

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13 U.S. District Judge Jennifer A. Dorsey
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